

RESUME OF RONALD D. NICKUM

EDUCATIONAL BACKGROUND

Undergraduate Bachelor of Science, Trinity University, San Antonio, Texas 1967
Law School Doctor of Jurisprudence, Texas Tech University School of Law, Lubbock, Texas, May 1970
Military School United States Army Military Police School, Ft. Gordon, Georgia, October 1970

OCCUPATIONAL HISTORY

Pen Rider G.E. Lucky Feedyards, Bandera Highway, San Antonio, Texas; various dates 1961-1964
Day Work Various ranches in Sterling, Concho and Tom Green Counties, Texas 1961-1967
Teacher Edgewood High School, Edgewood Independent School District, San Antonio, Texas, January 1965 to May 1965
Dormitory Supervisor Trinity University, 1966-1967.
Bartender Tacoma Country and Golf Club, Tacoma, Washington, Summer 1966
Student Texas Tech University School of Law, 1967 to 1970
Military United States Army (Honorable Discharge at rank of Captain, 1972)
Associate Sanders, Miller & Baker, Amarillo, Texas 1972-1975
Associate Sanders, Saunders, Brian, Finney & Thomas, 1975-1977
Partner Sanders, Saunders, Brian, Finney & Thomas, 1977-1985
Private Practice 1985-present

HONORS AND ACTIVITIES

Law Review Charter member Texas Tech Law Review, 1968; Note Editor, 1968-1969; Managing Editor, 1969-1970; published article UNINSURED MOTORIST PROTECTION, 1 Texas Tech Law Review 163 (1970), cited by Texas Supreme Court at 450 S.W.2d 64 (1970);
American Jurisprudence Awards - Federal Income Taxation, Labor Law I and II, Juvenile Courts Jurisdiction and Procedure, Securities Law, Constitutional Law, Federal Practice and Procedure.
Author NEGOTIATING AND DRAFTING A MODERN OIL & GAS LEASE ON BEHALF OF LESSOR, 13 Tex.Tech L.Rev. 1401 (1982)(this article received the Texas Bar Foundation's Law Review Award as the best legal article published in a Texas law review during the year 1982);
Co-Author SPECIAL ISSUES IN SELECTED OIL AND GAS CASES, Suing, Defending and Negotiating with Oil and Gas Producers, State Bar of Texas 1985.
Faculty Member ADVANCED CIVIL TRIAL COURSE, State Bar of Texas 1986.
Faculty Member LITIGATING THE OIL AND GAS CASE, State Bar of Texas 1987.
Author and Speaker MINERAL AND ROYALTY CONVEYANCES, A SET OF FORMS WITH COMMENTARY, State Bar of Texas, Advanced Oil, Gas and Mineral Law Course, San Antonio, Texas, September 30-October 1, 2004
Author and Speaker TEN COMMON PITFALLS IN MINERAL AND ROYALTY CONVEYANCES, Advanced Oil, Gas and Energy Resources Law Course, State Bar of

	Texas, October 2006.
Author and Speaker	TITLE ISSUES IN OIL AND GAS PROPERTIES, University of Houston Advanced Oil and Gas Short Course - Dallas January 25-26, 2007, Houston February 1-2, 2007
Author and Speaker	TEN COMMON PITFALLS IN EVALUATING MINERAL AND ROYALTY TITLES, San Antonio Area Landman Association, February 17, 2007.
Licenses	State Bar of Texas, 1971; United States Supreme Court, 1977; United States Tax Court, 1979; United States Courts of Appeals, Fifth Circuit, Ninth Circuit, Tenth Circuit, 1977 through present; United States District Court, Northern District of Texas. United States Bankruptcy Court, Northern District of Texas. Pro hac vice licenses include participation in trials as either lead or associate counsel in the following United States District Courts: District of New Mexico, Southern District of Texas, Eastern and Western Districts of Oklahoma, District of Alabama, District of Nevada.
Memberships	Texas Bar Association; College of the Texas State Bar; Federal Energy Bar Association, Bar Association of the Fifth Federal Circuit, Panhandle Producers and Royalty Owners Association, Panhandle Association of Petroleum Landmen, Working Ranch Cowboy Association, American Quarter Horse Association, Texas and Southwestern Cattle Raisers Association.
Areas of Practice	AV rated trial lawyer (Martindale-Hubbell) practicing in business and commercial litigation, estate litigation, and oil and gas litigation, on both side of the docket in all state and federal courts, including appellate practice. Practice includes oil and gas transactional matters.

SIGNIFICANT CLAIM AND DEFENSE HISTORY

- Claims made for failed frac job on gas well completion.
- Defense of oil and gas operator against claims arising out of partnership dissolution, accounting for production revenue.
- Claims made by oil and gas royalty owners in lawsuits over many years for royalty, lease terminations, and surface damages.
- Defense of claims made against producers and operators in connection with oil and gas contracts.
- Claims of producers and operators in connection with oil and gas contracts.
- Claims for debt in connection with overriding royalty.
- Assertion of claims against gas plant operator for accounting for liquids and gas components.
- Defense of claims made against ranch and cattle operator for disease in cattle shipped interstate.
- Claims and Defenses in cattle pasturage and leases cases.
- Claims against motor vehicle manufacturer for injuries sustained when transmission of idling automobile “jumped” from park to reverse.
- Defense of automobile dealerships in connection with consumer claims.
- Claims against automobile dealerships for consumers.
- Defense of professional persons. Errors and omissions defenses of architects, in connection with architectural site plan.

- Defense of contractor in connection with site construction.
- Claims based on mechanics and materialman's liens.
- Claims to set aside corporate veil, trust veil.
- Claims in connection with fraud on creditors.
- Claims for diesel/jet fuel contamination of a live spring on the ranch.
- Defense of guardian actions.
- Claims and defenses in matters of real estate fraud.
- Numerous lawsuits filed for motor cycle injuries, automobile accidents.
- Claims to set aside wills, impose and defend against guardianships, adjudication of descent and distribution property, defend wills, recovery of estate property.

In a general litigation practice, careful research coupled with meticulous trial preparation will yield a good result in any case. The question whether a case should be settled or tried to a jury can only be answered after discovery as to the facts, research as to the law, and evaluation of the client and the adversary. Knowing when to hold 'em and when to fold 'em is a critical skill. Knowing how to pick a jury and how to talk to them and read them during a trial is a critical skill. I have tried lawsuits to juries for 37 years. I have settled numerous cases and I have tried many cases to verdict. I work on both sides of the docket and I take cases on either a contingency fee basis or an hourly rate basis depending on the client's need and the merits of the case. I have a full support staff and all the tools necessary to produce transactional work or litigation. And I like what I do. Justice in this country works because this country is under the rule of law. A part of that law has to do with the roles of lawyers and judges. Here is the creed that the Texas Supreme Court has imposed on lawyers, and which I believe in and follow:

- a. I will advise my Client of the contents of this Creed when undertaking representation.
- b. I will endeavor to achieve my Client's lawful objectives in legal transactions and in litigation as quickly and economically as possible.
- c. I will be loyal and committed to my Client's lawful objectives, but I will not permit that loyalty and commitment to interfere with my duty to provide objective and independent advice.
- d. I will advise my Client that civility and courtesy are expected and are not a sign of weakness.
- e. I will advise my Client of proper and expected behavior.
- f. I will treat adverse parties and witnesses with fairness and due consideration. A Client has no right to demand that I abuse anyone or indulge in any offensive conduct.
- g. I will advise my Client that we will not pursue conduct which is intended primarily to harass or drain the financial resources of the opposing party.
- h. I will advise my Client that we will not pursue tactics which are intended primarily for delay.
- i. I will advise my Client that we will not pursue any course of action which is without merit.
- j. I will advise my Client that I reserve the right to determine whether to grant accommodations to opposing counsel in all matters that do not adversely affect my Client's lawful objectives. A Client has no right to instruct me to refuse reasonable requests made by other counsel.
- k. I will advise my Client regarding the availability of mediation, arbitration, and other alternative methods of resolving and settling disputes.